

BOARD OF PUBLIC WORKS
May 24, 2006

A regular meeting of the Board of Public Works of the Consolidated City of Indianapolis, Marion County, Indiana, was held the 24th day of May 2006, in the Public Assembly Room of the City County Building. Chair Kumar Menon called the meeting to order at 1:00 p.m.

Board members in attendance were: Kumar Menon Susan Schalk Richard Rowley
Gregory Taylor Kip Tew

Absent: Roger Brown

Staff in attendance were: Matt Senseny Michael Rogers Jeff Sirmin
Darrell Fishel DeAnn Milliken George Krack
Carlton Ray Ron Davis Maryam Williams
Larry Jones Sandy Shafer Katie Aeschliman
Bob Ransom Bob Masbaum Mike Smith
Pat Carroll

ITEM # 1 – RESOLUTIONS

a. Resolution No. 28, 2006; Parking Meter Waiver Fee for the 500 Festival Memorial Day Service Event

Staff recommended that the Board of Public Works approve and adopt Resolution No. 28, 2006, for the waiver of parking meter fees for the 500 Festival Memorial Day Service event. Upon a motion by Mr. Tew, seconded by Mr. Taylor, the Board voted 5-0 to approve and adopt Resolution No. 28, 2006.

b. Resolution No. 36, 2006; Declaratory Resolution of the Sanitary District

Staff recommended that the Board of Public Works approve and adopt Resolution No. 36, 2006, for the Sanitary District of the City of Indianapolis. This resolution authorizes the district to issue Bond Anticipation Notes, Bonds, or other financing to construct up to \$70 million of projects. Upon a motion by Mr. Tew, seconded by Mr. Rowley, the Board voted 5-0 to approve and adopt Resolution No. 36, 2006.

c. Resolution No. 37, 2006; Encroachment on Regulated Drain Hartman Ditch

Staff recommended that the Board of Public Works approve and adopt Resolution No. 32, 2006, granting an encroachment into the right of way of Hartman Regulated Drain. The petitioner has requested encroachments on the right of way of the Hartman Regulated Drain. The requesting encroachment of an existing gravel drive and 60" CSP culvert pipe. Upon a motion by Mr. Taylor, seconded by Mr. Rowley, the Board voted 5-0 to approve and adopt Resolution No. 37, 2006.

d. Resolution No. 38, 2006; Encroachment on Regulated Drain Franke Legal

Staff recommended that the Board of Public Works approve and adopt Resolution No. 38, 2006, granting an encroachment into the right of way of the Franke Regulated Drain. The requesting encroachments consist of construction of a Berm for retention pond and recreational trail. Upon a motion by Mr. Taylor, seconded by Mr. Rowley, the Board voted 5-0 to approve and adopt Resolution No. 38, 2006.

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- e. Resolution No. 33, 2006; Parking Meter Waiver Fees for the IDEM Anniversary Celebration Event

Staff recommended that the Board of Public Works approve and adopt Resolution No. 33, 2006, for the waiver of parking meter fees for the Indiana Department of Environmental Management Celebration event. Upon a motion by Mr. Tew, seconded Ms. Schalk, the Board voted 5-0 to approve and adopt Resolution No. 33, 2006.

- f. Resolution No. 34, 2006; Parking Meter Waiver Fees for the Vintage Indiana Wine and Food Festival Event

Staff recommended that the Board of Public Works approve and adopt Resolution No. 34, 2006, for the waiver of parking meter fees for the Vintage Indiana Wine & Food Festival event. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 5-0 to approve and adopt Resolution No. 34, 2006.

- g. Resolution No. 35, 2006; Parking Meter Waiver Fees for the Indy Jazz Fest Event

Staff recommended that the Board of Public Works approve and adopt Resolution No. 35, 2006, for the waiver of parking meter fees for the Indy Jazz Fest event. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 5-0 to approve and adopt Resolution No. 35, 2006.

- h. Resolution No. 29, 2006; Encroachment of Regulated Drain Steele Ditch

Staff recommended that the Board of Public Works approve and adopt Resolution No. 29, 2006, granting an encroachment into the right of way of the Steele Ditch Regulated Legal Drain. The request is in order to allow approximately 136' of 6" H.D.P.E. pipe with rip-rap within the right of way. Upon a motion by Mr. Rowley, seconded by Ms. Schalk, the Board voted 5-0 to approve and adopt Resolution No. 29, 2006.

ITEM # 2 – COMPLETION AND COMPLIANCE AFFIDAVITS FOR THE RESIDENTIAL DEVELOPMENT

- a. Completion and Compliance Affidavit for the Residential Development Bentley Commons Section One/Estates Section Two Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Bentley Commons Section One/Estates Section Two Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developer's three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Rowley, the Board voted 5-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Bentley Commons Section One/Estates Section Two Sub-Division.

- b. Completion and Compliance Affidavit for the Residential Development Timberlakes Section Three Sub-Division

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Staff recommended that the Board of Public Works accept the reports and documents for street construction, Timberlakes Section Three Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developer's three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Rowley, the Board voted 5-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Timberlakes Section Three Sub-Division.

- c. Completion and Compliance Affidavit for the Residential Development Springs of Hamptons/Schmitt Farms Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Springs of Hamptons/Schmitt Farms Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developer's three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Rowley, the Board voted 5-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Springs for Hamptons/Schmitt Sub-Division.

- d. Completion and Compliance Affidavit for the Residential Development Northpoint Village Section One Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, North Village Section One Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developer's three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Rowley, the Board voted 5-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Springs for North Village Section Sub-Division.

ITEM # 3 – BID AWARDS

- a. LD-00-009B; Detention Basin Retrofits Holly Creek and Farley Detention Basin
\$331,970.00 – AmTech Engineering

Staff recommended that the Board of Public Works award Project No. LD-00-009B, Detention Basin Retrofits Holly Creek and Farley Detention Basins to AmTech Construction, Inc., in an amount not to exceed \$331,970.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$489,160.00 and the percentage between the low bid and the engineer's estimate is 32%. The project consists of the installation of storm water BMPs. Upon a motion by Mr. Rowley, seconded by Mr. Tew, the Board voted 5-0 to approve the Detention Basin Retrofits Holly Creek and Farley Detention Basin.

- b. SS-00-063; Small Diameter Sewer Rehabilitation
\$1,948,497.50 – Insituform Technologies

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Staff recommended that the Board of Public Works award Project No. SS-00-063, Small Diameter Sewer Rehabilitation to Insituform Technologies USA, Inc., in an amount not to exceed \$1,948,497.50 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$1,751,502.00 and the percentage between the low bid and the engineer's estimate is 10.1%. This project is a SRF funded project and consists of rehabilitation of sanitary sewers. Mr. Tew asked why the bids were higher than the engineer's estimate. Mr. Davis replied he was not certain. Upon a motion by Mr. Taylor, seconded by Mr. Rowley, the Board voted 5-0 to approve the Small Diameter Sewer Rehabilitation.

- c. RS-06-011; Resurfacing with Related Items in Decatur Township
\$193,000.00 – Calumet Asphalt Paving

Staff recommended that the Board of Public Works award Project No. RS-06-011, Resurfacing with Related Items in Decatur Township to Calumet Asphalt Paving Inc., in an amount not to exceed \$193,000.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$151,200.70 and the percentage between the low bid and the engineer's estimate is 27.64%. This project consists of resurfacing with related items in Decatur Township. Upon a motion by Mr. Tew, seconded by Mr. Taylor, the Board voted 4-0 to approve the Resurfacing with related items in Decatur Township Project with Mr. Rowley abstaining.

- d. RS-06-007; Resurfacing with Related Items in Pike and Washington Townships
\$257,600.00 – Calumet Asphalt Paving

Staff recommended that the Board of Public Works award Project No. RS-06-007; Resurfacing with Related Items in Pike and Washington Townships to Calumet Asphalt Paving, Inc., in an amount not to exceed \$257,600.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$287,710.00 and the percentage between the low bid and the engineer's estimate is 10.47%. This project consists of resurfacing with related items in Pike and Washington Townships. Upon a motion by Mr. Tew, seconded by Mr. Taylor, the Board voted 4-0 to approve the Resurfacing with related items in Pike and Washington Townships Project with Mr. Rowley abstaining.

- e. RS-06-008; Resurfacing with Related Items in Lawrence Township
\$577,000.00 – Calumet Asphalt Paving

Staff recommended that the Board of Public Works award Project No. RS-06-008, Resurfacing with Related Items in Lawrence Township to Calumet Asphalt Paving, Inc., in an amount not to exceed \$577,000.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$493,230.00 and the percentage between the low bid and the engineer's estimate is 16.98%. This project consists of resurfacing 56th Street from Emerson Avenue to I-465. Upon a motion by Mr. Tew, seconded by Mr. Taylor, the Board voted 4-0 to approve the Resurfacing with related items in Lawrence Township Project with Mr. Rowley abstaining.

** Mr. Taylor stated that in essence of the MBE/WBE program he would vote on these bids today. He stated that staff needs to make certain that firms recognize the City goals and make good faith efforts.*

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- f. SO-55-003; Effluent Pump Station Rehabilitation at Southport AWT
\$3,357,000.00 – Thieneman Construction, Inc

Staff recommended that the Board of Public Works award Project No. SO-55-003, Effluent Pump Station Rehabilitation Southport AWT Facility to Thieneman Construction, Inc., in an amount not to exceed \$3,357,000.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of the project is \$3,300,000.00 and the percentage between the low bid and the engineer's estimate is less than 1%. This project consists of the removal of the existing six pumps being replaced with six new diesel drive pumps, building improvements and a 144" X 132" butterfly valve replacement. Mr. Rowley asked that staff provide more details regarding the good faith effort program in their board packets. Upon a motion by Mr. Taylor, seconded by Ms. Schalk, the Board voted 5-0 to approve the Effluent Pump Station Rehabilitation at Southport AWT.

ITEM # 4 – CHANGE ORDERS

- a. CW-06-001, #1; Indy Access Curbs, Sidewalks, Ramps and Resurfacing with Related Items in Center Township
\$22,634.90 – CC & T Construction

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1 for CC & T Construction in the increased amount of \$22,634.90 for a new contract total of \$406,263.90 and an increase of 20 calendar days for Project No. CW-06-001, Indy Access Curbs, Sidewalks, Ramps and Resurfacing with Related Items in Center Township. This change order adds ramps at 34th & Riley and Manor Court and Sturm Avenue between Highland and Oriental Street. Ms. Schalk asked if subcontractors were apart of this change order. Mr. Taylor replied yes. Upon a motion by Ms. Schalk, seconded by Mr. Rowley, the Board voted 5-0 to approve Change Order No. 1 for the Indy Access Curbs, Sidewalks, Ramps and Resurfacing with Related Items in Center Township.

- b. BE-76-014, #2; Sludge Cake Pumps, Piping and Ancillary Equipment Replacement
\$0.00 – Reynolds, Inc

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2 for Reynolds, Inc., in the amount of \$16,500.00 to be appropriated from the Contract Contingency Reserve Fund, and an increase of 77 calendar days for Project No. BE-76-014, Sludge Cake Pumps, Piping and Auxiliary Equipment. This project is a SRF funded project and the change order is for the modification of the screw conveyor drop chutes and to add 77 days for the drop chutes and plant processing concerns. Upon a motion by Mr. Rowley, seconded Ms. Schalk, the Board voted 5-0 to approve Changer Order No. 2 for the Sludge Cake Pumps, Piping and Ancillary Equipment Replacement.

ITEM # 5 – FINAL CHANGE ORDER AND ACCEPTANCES

- CS-31-002C, #2/FINAL; Consolidation of 034 and 035 Dorman Street Rehabilitation
\$(45,630.00) Insituform Technologies, Inc

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2 (FINAL) for Insituform Technologies, Inc., in the decreased amount of \$(45,630.00) for a new

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contract total of \$479,331.00 and no increase of calendar days for Project No. CS-31-002C, Consolidation of 034 and 035 Dorman Street Rehabilitation, and furthermore to accept this project as final. This changer order consists of additional manhole repairs due to an unforeseen condition, and final quantity adjustments. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 5-0 to approve Final Change Order No. 2 for the Consolidation of 034 and 035 Dorman Street Rehabilitation.

ITEM # 6 – PROFESSIONAL SERVICE AGREEMENTS

- a. BL-27-003; 10th & Pleasant Run STEP
\$176,225.00 – Clark Dietz

Staff recommended that the Board of Public Works approve a Professional Service Agreement for Design Services with Clark Dietz, Inc., for Project No. BL-27-003, 10th & Pleasant Run STEP in an amount not to exceed \$176,225.00. This agreement consists of sanitary sewer design. The project will provide sanitary sewers to an area with failing septic systems. Upon a motion by Mr. Rowley, seconded by Ms. Schalk, the Board voted 5-0 to approve the 10th & Pleasant Run STEP agreement.

- b. SY-00-149; Biennial High Hazard Dam Inspections
\$115,000.00 – Commonwealth Engineers

Staff recommended that the Board of Public Works approve a Professional Service Agreement for engineering services with Commonwealth Engineers, Inc., for Project No. SY-00-149, Biennial High Hazard Dam Inspections in an amount not to exceed \$115,000.00. This project consists of performing a thorough inspection, structural, geotechnical and visual of Eagle Creek Dam and Pogues Run Dam. Upon a motion by Ms. Schalk, seconded by Mr. Rowley, the Board voted 5-0 to approve the High Hazard Dam Inspections agreement.

- c. ENG-06-003; Construction Inspection Services
\$200,000.00 – Janssen and Spaans

Staff recommended that the Board of Public Works approve a Professional Service Agreement with Janssen & Spaans Engineering, Inc., for Project ENG-06-003, Construction Inspection Services in an amount not to exceed \$200,000.00. This project consists of as-needed construction inspection for the 2006 resurfacing program. Upon a motion by Mr. Taylor, seconded by Mr. Tew, the Board voted 5-0 to approve the Construction Inspection Services agreement.

- d. ENG-06-005; Construction Inspection Services
\$100,000.00 – Parsons Brinckerhoff

Staff recommended that the Board of Public Works approve a Professional Service Agreement with Parsons Brinckerhoff for Project No. ENG-06-005, Construction Inspection Services in an amount not to exceed \$100,000.00. This project consists of as-needed construction inspection for the 2006 resurfacing program. Upon a motion by Mr. Rowley, seconded by Mr. Tew, the Board voted 5-0 to approve the Construction Inspection Services agreement.

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- e. ENG-06-007; Construction Inspection Services
\$150,000.00 – A & F Engineering

Staff recommended that the Board of Public Works approve a Professional Service Agreement with A & F Engineering for Project ENG-06-007, Construction Inspection Services in an amount not to exceed \$150,000.00. This project consists of as-needed construction inspection for the 2006 curb, sidewalk and ramp program. Upon a motion by Mr. Brown, seconded by Mr. Taylor, the Board vote 5-0 to approve the Construction Inspection Services agreement.

- f. ENG-06-008; Construction Inspection Services
\$150,000.00 – Wilcox Professional Services

Staff recommended that the Board of Public Works approve a Professional Service with Wilcox Professional Services for Project No. ENG-06-008, Construction Inspection Services in an amount not to exceed \$150,000.00. This project consists of as-needed construction inspection for the 2006 curb. Upon a motion by Mr. Tew, seconded by Mr. Rowley, the Board voted 5-0 to approve the Inspection Services agreement.

ITEM # 7 – PROFESSIONAL SERVICE AMENDMENTS

- a. ST-18-001/ST-25-003; Construction Inspection/Design Services, Amendment No. 1
\$44,969.16 – Crawford, Murphy & Tilly, Inc

Staff recommended that the Board of Public Works approve Amendment No. 1 to the Professional Service Agreement dated May 22, 2006, with Crawford, Murphy & Till, Inc.,(CMT) for Project No. ST-18-001 and ST-25-003, 29th , 30th Street Gateway Improvements in the increased amount of \$44,969.16 in an amount not to exceed \$403,696.40. This amendment will compensate CMT for additional construction inspection services and final construction record. Upon a motion by Mr. Taylor, seconded by Mr. Tew, the Board voted 5-0 to approve Amendment No. 1 for the Construction Inspection/Design Services.

- b. Review Appraising Services, Amendment No. 1
\$132,000.00 – Jill D. Reed & Associates

Staff recommended that the Board of Public Works approve Amendment No. 1 to the Professional Services Agreement for Review Appraisal Services in an amount of \$132,000.00 with Jill D. Reed and Associates, Inc., for a new contract total of \$234,000.00. This review requires the performance of reviewing appraisals and related appraising activities for the staff, appraisal problem analysis, cost estimate and professional assistance. Upon a motion by Mr. Taylor, seconded by Mr. Tew, the Board voted 5-0 to approve Amendment No. 1 for the Review Appraising Services.

- c. BL-46-083; Bangor/Delaware STEP, Amendment No. 2
\$0.00 – United Consulting Engineers

Staff recommended that the Board of Public Works approve Amendment No. 2 to the Professional Service Agreement with United Consulting Engineers & Architects, Inc., for Project No. BL-46-083, the

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Bangor/Delaware Septic Tank Elimination Project. The amendment shall not result in a monetary increase, but will reallocate funds already assigned to the project. This amendment will adjust the agreement's services to allow for a design change/re-design of a portion of the project area in an effort to remove a segment of deep sewer in a narrow right of way. The re-design shall not impact land acquisition efforts or have impacts to other portions of the project. Upon a motion by Mr. Rowley, seconded by Mr. Tew, the Board voted 5-0 to approve Amendment No. 2 for the Bangor/Delaware STEP.

- d. BL-22-034; Construction Inspection Services, Amendment No. 1
\$2,311.88 – Commonwealth Engineers

Staff recommended that the Board of Public Works approve Amendment No. 1 to the Professional Service Agreement dated April 18, 2005, with Commonwealth Engineers for Project BL-22-034 in the increased amount of \$2,311.88 for a total amount not to exceed \$45,939.88. This amendment provides for additional inspection services. Upon a motion by Mr. Taylor, seconded by Ms. Schalk, the Board voted 5-0 to approve Amendment No. 1 for the Construction Inspection Services.

**Director Menon expressed condolences to the family of Mr. Jim Crute in his passing.*

Mr. Taylor expressed great concerns about the MBE/WBE program. He suggested an outreach program for companies that keep meeting the goals, yet losing the bid because they were twenty thousand dollars over the engineer's estimate. He stated that staff must endorse responsive and responsible bidders, which required meeting the City's equal opportunity purchasing requirements, and that staff ought to become more conscious of leading contractors using the resources that the City offers, so that the City Ordinance is upheld.

Mr. Robert Ransom, Equal Opportunity Representative, stated that the Board Members could rest assure that staff was doing everything to ensure that the prime contractors were meeting the City's goals.

ITEM # 8 – OTHER BUSINESS

There being no further business the meeting of the Board of Public Works was adjourned at 1:48 p.m.

Kumar Menon, Chair

Kimberly A. Frye, Recording Secretary